

REMARKS

This Amendment is being filed in response to the Office Action dated July 3, 2003. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-23 were pending in this application of which Claims 1, 12, and 23 are independent claims. Claims 24 and 25 are added by this amendment and respectively correspond to canceled Claims 6 and 17, which were previously canceled without prejudice and the subject matter contained therein was previously respectively incorporated into independent Claims 1, 12, and 23. This previous amendment was submitted to expedite claims that were previously indicated as containing allowable subject matter. The Office Action of July 3, 2003 introduced new grounds for rejecting Claims 1, 12, and 23 and therefore the claims are amended herein to put them in a similar form as previously presented. It is respectfully submitted that the claims are now in a similar form as originally submitted with the exception that amendments have been made to address 35 U.S.C. § 112, second paragraph rejections as previously stated in the prior amendment and further discussed herein below.

In the Office Action, Claims 1-5, 7-16 and 18-23 are rejected under 35 U.S.C. §112, second paragraph because it is asserted that it is unclear because the claims fail to particularly point out

what condition should utilize the audio locator to adjust the camera setting. In addition, it is asserted that the claim is vague and indefinite due to the limitation of "adjusting the camera setting in accordance with the determined manner of utilization" claim element.

In addressing the second rejection first, the claims are amended herein to clarify that the camera setting is adjusted utilizing at least one of the audio locator output and the video locator output in accordance with the applied set of rules (e.g., see amended Claim 1, 12, and 23). It is respectfully submitted that this was already required by the original claim construction however this amended is entered to correct the otherwise awkward construction. No new matter is intended by this amendment nor should this amendment be understood to have a narrowing effect on the claim limitation as stated.

With regard to the first 35 U.S.C. §112, second paragraph rejection indicated above, it is respectfully submitted that it is not necessary to understand which rule is applied in deciding when to use the audio locator output to adjust the camera setting. However, the claim is amended to clarify that the camera setting is adjusted "utilizing the at least one of the audio locator output and the video locator output in accordance with the applied set of rules." It is respectfully submitted that the invention need not

be limited to a particular given set of rules however there is ample exemplary rules for instance as shown in FIG. 4 steps 204-210 and as discussed in more detail on page 9, line 32 through page 14, line 16 to support this claim limitation. It should be understood that this listing of rules is not intended to be exhaustive and numerous alternate rules and combinations of rules should be understood to be within the abilities of a person of ordinary skill in the art as discussed in the specification of the patent application. It is respectfully submitted that these amendments to the claims overcome the rejections under 35 U.S.C §112, second paragraph. Accordingly, it is respectfully requested that these rejections be withdrawn.

The applicants appreciate the indication that Claims 5 and 16 contain allowable subject matter.

Claim 1-4, 7-15, and 18-23 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent no. 5, 844,599 to Hildin ("Hildin") in view of U.S. Patent No. 5,434,617 to Bianchi ("Bianchi"). Claims 4 and 15 are rejected under 35 U.S.C. §103(a) as unpatentable over Hildin in view of Bianchi in further view of U.S. Patent No. 6,005,610 to Pingali ("Pingali").

Hildin shows a voice following video conferencing system 100 (see, FIG. 1 and the accompanying description in Col. 3, line 54 through line 65 and Col. 4, line 26-64). Hildin shows that the

system may be utilized in one of two modes. The first mode is a manual mode wherein the field of view is manually set to one of a series of preset settings "manually through keypad 112." (See, specifically Col. 4, lines 26-42.)

A second mode of operation is described as a voice-following mode (see, Col. 4, lines 43-64). In this mode, individual emitters 104 that are worn by each respective participant detect the speaking of the participants. These emitters, upon detecting an audio input (e.g., a speaker speaking), transmit a signal to a position control system 106. The signal transmitted from the emitters 104 to the position control system 106 is illustratively stated to be an infrared signal (IR). The IR signal transmitted by the emitters 104 is received by IR receivers 500 (see, FIG. 5 and the accompanying description contained in Col. 5, lines 40-44) of the position control system 106 and is utilized to determine where is a speaker is positioned. This received IR signal is utilized by a computer 502 to determine the location of the source of the IR signal (the emitter 104 attached to the speaker) and thereby, to control operation of a PTZ camera. It is respectfully submitted that the sound and IR signals of Hildin cannot be understood to be "generating for a given measurement interval an audio locator output from an audio input and a video locator output from a video input, each indicative of a location of the object of interest ..." "

as substantially required by each of the currently pending claims, and specifically as substantially required by Claims 1, 12, and 23. In Hildin, the IR signal is certainly not akin to a video signal system. Further, in Hildin, the IR signal is generated based on the audio signal and not from a video input. Accordingly, the IR signal is really the result of received audio signals by the emitter 104 and is not a separate source of location information.

Bianchi teaches a camera tracking system that utilizes video information to effect electronic camera movement.

However, it is respectfully submitted that Hildin in view of Bianchi neither discloses nor suggests (emphasis provided) "applying a set of rules to each of the audio locator output and the video locator output to determine which of at least one of the audio locator output and the video locator output will be utilized to adjust a setting of the camera based on the given measurement interval; and adjusting the camera setting utilizing the at least one of the audio locator output and the video locator output in accordance with the applied set of rules" as substantially required by each of Claims 1, 12, and 23.

Accordingly, it is respectfully submitted that Claims 1, 12, and 23 are in allowable form and allowance thereof is respectfully requested. Further, Claims 2-5, 7-11, 13-16, 18-22 and 24-25 respectively depend from one of Claims 1 and 12 and are allowable

for at least this reason as well as for the separately patentable elements contained therein. Accordingly, it is respectfully requested that Claims 2-5, 7-11, and 13-16, 18-22 be allowed.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Early and favorable action is earnestly solicited.

Respectfully submitted,

By Gregory L. Thorne

Gregory L. Thorne, Reg. 39,398
Senior Patent Counsel
(914) 333-9665
November 3, 2003